

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 05-80215-CR-RYSKAMP/HOPKINS

UNITED STATES OF AMERICA,

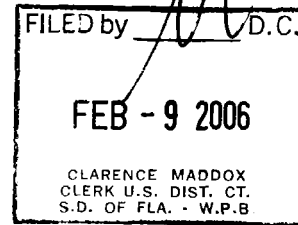
Plaintiff,

vs.

GARY C. BRESTLE,

Defendant.

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**ORDER AFFIRMING MAGISTRATE JUDGE**

**THIS CAUSE** came before the Court on the appeal by the defendant, Gary Brestle, of the order of the Magistrate Judge dated December 30, 2005. The Court has reviewed the record including the briefs of the parties. The Court adopts that portion of the Magistrate Judge's Order on pages 7-14. The Court finds potential for conflict of interest between the defendant and defense counsel. Accordingly, the order of the Magistrate Judge is **AFFIRMED**.

**DONE and ORDERED** in West Palm Beach, this 9 day of February, 2006.

  
**KENNETH L. RYSKAMP**  
**UNITED STATES DISTRICT JUDGE**

cc: U.S. Magistrate Judge James M. Hopkins  
Ellen Cohen, AUSA  
Alan Ross, Esq.  
David Raben, Esq.

